

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.361 OF 2006
 IN
 SECOND APPEAL ST.NO.4857 OF 2006

Dholumal Majanmal Ahuja(deceased)
 through LRs.
 Narayan D. Ahuja(since deceased his
 LRs.)Deepa N. Ahuja & Ors. ..Applicants.

V/s.

Mohanlal Beniram Rai & Ors. ..Respondents.

Mr.Sunil D. Dighe for applicants.

CORAM: A.M.KHANWILKAR, J

DATE : MARCH 3, 2006.

P.C. :

1. Heard.

2. Delay in filing second appeal as computed by the office is only of two days. Sufficient cause has been made out. I am conscious of the fact that the delay in filing appeal ought not to be condoned without notice to the other party. However, as delay is only of two days and I am inclined to allow the application as sufficient cause has been made out, I am dispensing with requirement of notice. Even if, the application was to be opposed, delay of two days will have to be condoned in the interest of justice. This course is adopted so as to expedite the hearing

of the appeal for admission. Accordingly, application allowed in terms of prayer clause (a).

3. Appeal be registered and placed for admission as per its turn.